

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

MICHELLE MORAN, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

S.C. JOHNSON & SON, INC, a Wisconsin
corporation,

Defendant.

Case No.: 4:20-cv-03184-HSG

MONICA WADDELL, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

S.C. JOHNSON & SON, INC, a Wisconsin
corporation,

Defendant.

Case No.: 4:20-cv-03820-HSG

ORDER TO CONSOLIDATE ACTIONS AND SET SCHEDULING DEADLINES

ORDER

Based on the stipulation of the parties and for good cause shown, IT IS HEREBY ORDERED as follows:

1. The *Moran* and *Waddell* actions currently pending before this Court shall be consolidated for pre-trial purposes pursuant to Fed. R. Civ. P. 42(a) before the Honorable Haywood S. Gilliam, Jr. (hereafter the “Consolidated Action”).

2. The earliest-filed civil action, Case No. 4:20-cv-03184-HSG, shall serve as the lead case. The clerk is directed to administratively close the later-filed civil action, Case No. 4:20-cv-03820-HSG.

3. All papers filed in the Consolidated Action shall be filed under Case No. 4:20-cv-03184-HSG and shall bear the following caption:

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

*IN RE: S.C. JOHNSON & SON, INC.
WINDEX NON-TOXIC LITIGATION*

Master File No. 4:20-cv-03184-HSG

This Document Relates To:

_____ /

4. The case file for the Consolidated Action will be maintained under Master File No. 4:20-cv-03184-HSG. When a pleading is intended to apply to all actions to which this Order applies, the words “All Actions” shall appear immediately after the words “This Document Relates To:” in the caption described above. When a pleading is not intended to apply to all

actions, the docket number for each individual actions to which the paper is intended to apply and the last name of the first-named plaintiff in said action shall appear immediately after the words “This Document Relates To:” in the caption identified above, for example, “4:20-cv-03184-HSG (*Moran*).”

5. S.C. Johnson is permitted to oppose any class or other representative action in this or any other forum, and to oppose class certification or the appointment of class counsel on any grounds, including adequacy of representation under Fed. R. Civ. P. 23(a) and (g).

6. Initial deadlines for the Consolidated Action are as follows:

- a. Any attorney who has filed an action in the Related Actions may file an application for appointment as interim class counsel or other designated counsel either individually or as part of a proposed leadership structure. If any other additional action is later added to this Consolidated Action, nothing in this Order prevents counsel in that action to apply for appointment as interim class counsel or other designated counsel either individually or as part of a proposed leadership structure.
- b. Plaintiffs shall file a Consolidated Complaint superseding all previously individually filed complaints no later than thirty (30) days following entry of an order appointing interim class counsel or other designated counsel;
- c. S.C. Johnson and any additional defendants named in future Related Actions need not file a response to the complaint in each Related Actions and instead will answer, move or otherwise respond to the Consolidated Complaint no later than forty-five (45) days following service of the Consolidated Complaint; and
- d. The initial case management conferences in the *Moran* and *Waddell* matters currently set for August 11, 2020 are taken off calendar. A telephonic case management conference in the Consolidated Action shall take place on September 15, 2020 at 2:00 pm. The case management statement in the Consolidated Action shall be filed by September 8, 2020. All counsel, members

1 of the public and press may use the following dial-in information below to
2 access the case management conference:

3 i. **Dial In:** 888-808-6929

4 ii. **Access Code:** 6064255

- 5 e. The Court may be in session with proceedings in progress when you connect to
6 the conference line. Therefore, mute your phone if possible and wait for the
7 Court to address you before speaking on the line. For call clarity, parties shall
8 NOT use speaker phone or earpieces for these calls, and where at all possible,
9 parties shall use landlines. The parties are further advised to ensure that the
10 Court can hear and understand them clearly before speaking at length. Persons
11 granted access to court proceedings held by telephone or videoconference are
12 reminded that photographing, recording, and rebroadcasting of court
13 proceedings, including screenshots or other visual copying of a hearing, is
14 absolutely prohibited. *See* General Order 58 at Paragraph III.

15 **IT IS SO ORDERED.**

16 Dated: 8/3/2020

17 
Hon. Haywood S. Gilliam, Jr.

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